

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

AMERICAN PETROLEUM	)	
INSTITUTE, et al.,	)	
	)	
<i>Petitioners,</i>	)	CASE NO. 22-1222
	)	
v.	)	
	)	
UNITED STATES DEPARTMENT OF	)	
THE INTERIOR, et al.,	)	
	)	
<i>Respondents.</i>	)	
	)	
	)	
	)	
	)	

**PETITIONERS' NON-BINDING STATEMENT OF ISSUES**

Pursuant to this Court's August 26, 2022 Order, Petitioners submit this Non-Binding Statement of Issues:

Whether Respondents' failure to timely prepare and maintain a Five-Year Leasing Program violates the Outer Continental Shelf Lands Act, 43 U.S.C. § 1331 *et seq.*, and the Administrative Procedure Act, 5 U.S.C. § 706.

Dated: September 26, 2022

Respectfully submitted,

/s/ James M. Auslander

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 26, 2022, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the appellate CM/ECF system, which will send and serve notifications of the foregoing to all counsel of record.

/s/ James M. Auslander  
James M. Auslander